

Animal Hoarding



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Road Map

- What is animal hoarding?
- Role of the NHDAMF
- Role of the health officer
- RSA 644:8 and RSA 436:8
- RSA 437
- RSA 466:6
- RSA 436:99-109
- How to intervene?

Our Constituents

- **1.32 million
humans**
- **474,500
households**



The Animals They Own

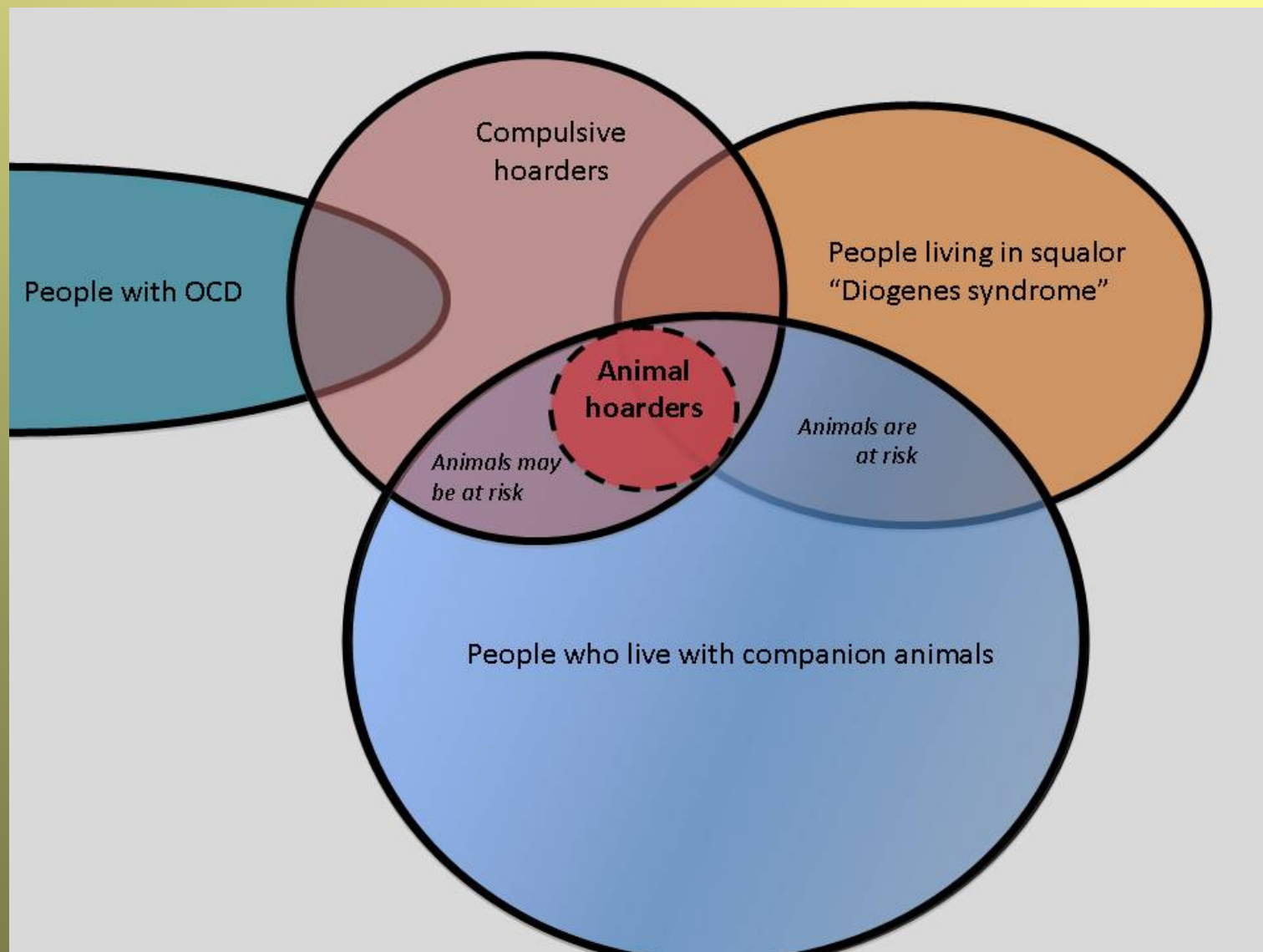
(Estimates)

- 263,253 dogs
- 285,910 cats
- 58,420 pet birds
- 25,000+ horses
- 1.67 Million poultry in 34,000 flocks
- 35,481 cattle
- 2,792 pigs
- 7,671 sheep
- 3,888 goats
- 1,500 deer, elk, bison
- 2,100+ camelids



Animal Hoarding

- First described in 1981
- First defined in literature in 1999
- The following criteria are used*:
 - More than the typical number of companion animals
 - Inability to provide even minimal standards of nutrition, sanitation, shelter and veterinary care, with this neglect often resulting in starvation, illness and death
 - Denial of the inability to provide this minimum care and the impact of that failure on the animals, the household and human occupants of the dwelling



<http://www.tufts.edu/vet/hoarding/index.html>

Animal Hoarding is...

- ...multifactorial. It requires the involvement of many disciplines to adequately address.
- ...about satisfying a human need to accumulate animals and control them.
- ...repeating. Without appropriate post-intervention treatment, recidivism approaches 100%.
- ...a community problem that can be costly for municipalities to resolve.
- ...often associated with other issues such elder abuse, child abuse, and self-neglect.
- ...a public health concern. Air quality, rodent and insect infestation, zoonotic disease, generally unsanitary conditions, etc.

Typology of animal hoarding

Overwhelmed caregiver

- ✓ Some awareness, more reality-based
- ✓ More passive acquisition
- ✓ Problems often triggered by change in circumstance
- ✓ Unable to problem-solve effectively
- ✓ Likely to be socially isolated
- ✓ Self-esteem linked to role as caregiver
- ✓ Fewer issues with authorities

Rescuer Hoarder

- ✓ Mission leading to unavoidable compulsion
- ✓ Fear of death
- ✓ Active vs. passive acquisition
- ✓ S/he is the only one who can provide care
- ✓ Rescue-followed-by adoption becomes rescue-only care
- ✓ May have extensive network of enablers or be a group activity

Exploiter Hoarder

- ✓ Tends to have sociopathic characteristics
- ✓ Lacks empathy for people or animals
- ✓ Indifferent to harm caused
- ✓ Rejects outsiders' concerns
- ✓ Superficial charm and charisma
- ✓ Lacks guilt or remorse
- ✓ Manipulative and cunning
- ✓ Adopts role of expert with need to control

From: Animal Hoarding: Structuring interdisciplinary responses to help people, animals, and communities at risk. Patronek, Loar, Nathanson, eds. 2006

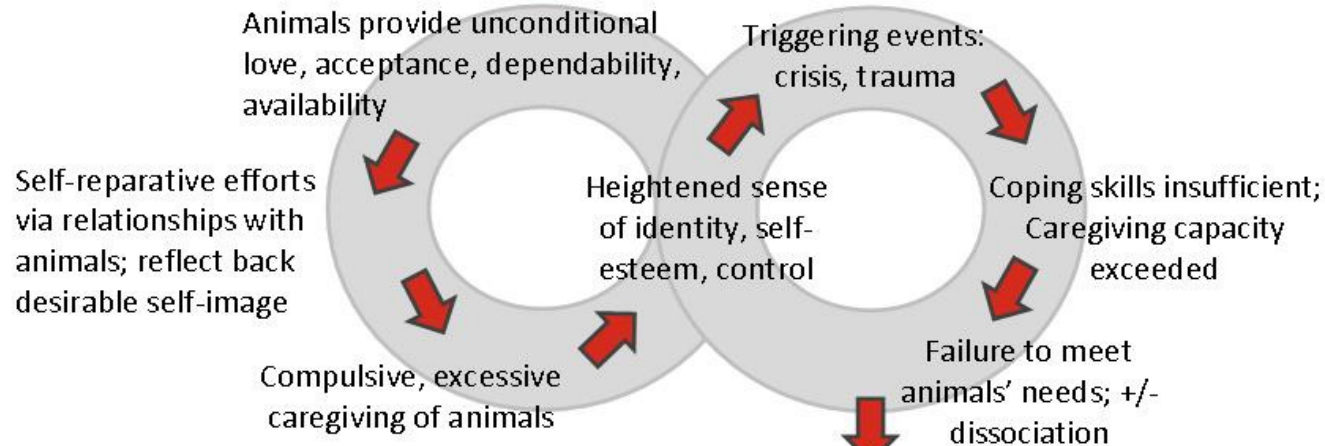
Early childhood experience (neglectful, abusive, inconsistent parenting);
and/or genetic, fetal, psychosocial, environmental factors

Axis II traits: Poor insight,
emotional instability,
impulsivity, chaotic internal
and external lives

'Fertile Soil' for mental health
problems

Disordered attachment
style

Human relationships inadequately buffering stressful life
events; Emotional pain, loneliness, fear of abandonment



Animal neglect +/- Self-neglect

Animal Hoarding is not...

- ...simply owning a lot of animals.
Providing adequate care or trying to do so indicate an awareness of the situation that is not present in hoarding cases.
- ...easily addressed.
- ...usually solved by prosecution, alone.

NHDAMF Core Missions

- Control and eradication of contagious and infectious diseases in domestic animals and poultry.
- Emergency preparedness and response.
- Food safety
- Education – farmers, animal owners, general public, interest groups, media, anyone who will listen
- Advisory to Commissioner, Governor, other elected officials

Additional tasks by statute

- License and inspect all pet shops and shelters.
- Assist in investigation of animal welfare and abuse complaints.
- APCP – state spay / neuter program
- Oversee administrator of Board of Veterinary Medicine
- NHVDL
- Work with other state agencies
- Wolf hybrid fencing

Other stuff

- Budget
- Rulemaking (RSA 541)
- RSA 91-A
- Administrative hearing process
- Cooperative agreements and funding
- Public interaction – e-mail, phone

We are not...

- Makers of the law.
- Intended to provide free veterinary advice to animal owners.
- Civics teachers.



Health Officer's role

- Home rule.
- What is a safe dwelling? Local regulations.
- Animal hoarding often has behavioral, mental, and public health components in the same case.
- The first sign may be the individual's health.
- Accumulation of feces or other debris may be the first **external** sign to the community.
 - <http://www.nh.gov/agric/divisions/markets/documents/bmp.pdf>

RSA 644:8

- intent v. negligence
- ""cruelty" shall include, but not be limited to, **acts or omissions injurious or detrimental to the health, safety or welfare of any animal**, including the abandoning of any animal without proper provision for its care, sustenance, protection or shelter.
- ""shelter" or ""necessary shelter" for dogs shall mean any natural or artificial area which provides protection from the direct sunlight and adequate air circulation when that sunlight is likely to cause heat exhaustion of a dog tied or caged outside. Shelter from the weather shall **allow the dog to remain clean and dry**. Shelter shall be structurally sound and have an area within to afford the dog the ability to stand up, turn around and lie down, and be of proportionate size as to allow the natural body heat of the dog to be retained.

644:8

- Courts shall give cases in which animals have been confiscated by an arresting officer priority on the court calendar. The **costs**, if any, incurred in boarding and treating the animal, pending disposition of the case, and in disposing of the animal, **upon a conviction** of said person for cruelty to animals, **shall be borne by the person so convicted**.
- In addition, the **court may prohibit any person convicted of animal cruelty from having future ownership or custody of other animals for any period of time the court deems reasonable or impose any other reasonable restrictions on the person's future ownership or custody of animals as necessary for the protection of the animals.**
- If a person convicted of cruelty to animals appeals the conviction and any confiscated animal remains in the custody of the arresting officer or the officer's designee pending disposition of the appeal, in order for the appellant to maintain a future interest in the animal, the trial **court may require the appellant to post a bond or other security in an amount not exceeding \$2,000 for each animal in custody** for costs expected to be incurred for the board and care of the animal during the appeal. If the conviction is affirmed on appeal, the costs incurred for the board and care of the animal shall be **paid to the custodian** from the posted security and the balance, if any, returned to the person who posted it.

644:8

- Except as provided in subparagraphs (b) and (c) **any appropriate law enforcement officer, animal control officer, or officer of a duly licensed humane society may take into temporary protective custody** any animal when there is probable cause to believe that it has been or is being abused or neglected in violation of paragraphs III or III-a when there is a **clear and imminent danger to the animal's health or life** and there is not sufficient time to obtain a court order.
- For purposes of subparagraph (a) the **investigating officer for livestock, as defined in RSA 427:38, III, shall be accompanied by a veterinarian** licensed under RSA 332-B or the state veterinarian who shall set the probable cause criteria for taking the animal or animals.

RSA 436:8

- Complaints under RSA 644:8, 644:8-a, 644:8-aa and any other law pertaining to the abuse of domestic animals, as defined under RSA 436:1, shall initially be filed with the local law enforcement agency, animal control officer, state police, or sheriff which has jurisdiction over where the animal is located or kept. At the request of the local law enforcement agency, animal control officer, state police, or sheriff, the state veterinarian shall assist in a secondary capacity in enforcing the provisions of and investigating said complaints.

RSA 437

- Requires licensure of any entity in the business of transferring ownership of household pets.
- Exempts those licensed under RSA 466:6.
- Commercial kennels and 'in home' rescues.
- Inspection and facility requirements in statute and rule.

RSA 466:6

- The owner or keeper of 5 or more dogs shall annually by April 30 pay the required fee and obtain a license authorizing the owner or keeper to keep the dogs upon the premises described in the license, or off the premises while under such owner's or keeper's control. Such owner or keeper shall not be required to obtain a ""commercial kennel" license under RSA 466:4, III unless such person has a commercial kennel as defined under RSA 466:4, III.
- No town clerk shall refuse to issue a group license to an owner or keeper who has complied with the requirements of this subdivision.

Commercial kennels

➤ Confusion?

➤ RSA 466:4 and RSA 437:2

➤ "commercial kennel" means the establishment or domicile of any person who sells dogs at wholesale or retail; and, if retail, who sells or transfers 10 or more litters **per year**, or sells or transfers 50 or more puppies per year; **or who derives 40 percent or more of gross annual income from the sale or transfer of dogs.**

➤ "Commercial kennel" means any person, business, corporation, or other entity that sells or transfers 10 or more litters or 50 or more puppies in **any 12-month period.**

Exemption?

- RSA 437:7 Exception. – The license provisions of this subdivision shall not apply to breeders of dogs licensed under the provisions of RSA 466:6; veterinarians; owners and operators of horse riding stables; and auctioneers, breeders or keepers of farm livestock.
- Does a license with the town exempt from a license with the department?
- Do towns have facility standards?

RSA 436:99-109

- Requires rabies vaccination of dogs, cats, and ferrets.
- Requires reporting of vaccination to town clerks.
- Enforced through local animal control.

Intervention

- Rabies vaccination
- RSA 466 licensing
- RSA 437 licensing
- Education
- Mental health options
- Court options
- Multifaceted

Intervention & type of hoarder

	General approach / outcome		
Type of hoarder	Persuasion with verbal agreement	Possibility of future legal action	Prosecution
Overwhelmed caregiver	Most likely to be receptive to help and downsizing	May be sufficient to reduce likelihood of recidivism	Often unnecessary and may be counterproductive
Rescuer hoarder	Unlikely to be effective, at least in the initial stages	Motivation is to continue with rescue efforts, so potential for a down-scaled operation important	May be required if hoarder fails to adhere to agreed upon plan for animal care
Exploiter hoarder	Likely to treat recommendations & offers of help with contempt	Unlikely to be intimidated and may welcome adversarial approach	Probably only viable option

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More information

- Community approaches,
<http://www.tufts.edu/vet/hoarding/pubs/AngellReport.pdf>
- Hoarding of Animals Research Consortium,
<http://www.tufts.edu/vet/hoarding/index.html>

QUESTIONS

